

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RETHINK35, et al.,

Plaintiffs,

v.

TEXAS DEPARTMENT OF
TRANSPORTATION (TxDOT), et al.

Defendant.

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CIVIL ACTION NO. 1:24-CV-00092

**DECLARATION OF RETHINK35 IN SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

I, ADAM GREENFIELD, do declare and state:

1. The facts set forth in this declaration are based on my personal knowledge, and if called as a witness, I could and would competently testify thereto under oath.

2. I am a resident of the City of Austin, Travis County, Texas, and I have lived at 92 Navasota Street, Austin TX 78702 for the last three years.

3. I co-founded Rethink35 in 2020 and have been Board President since 2023. Our organization is a plaintiff in the lawsuit against TxDOT concerning the proposed I-35 expansion through Austin.

4. Rethink35 is a grassroots , all-volunteer nonprofit organization founded in 2020 to advocate for a healthier, more sustainable, and more livable Austin. We work to ensure that transportation policies prioritize clean air, public health, and effective mobility solutions. Since our founding, we have built a broad coalition of over 10,000 individuals, the vast majority of whom live in Austin and near I-35. We have also secured the backing of more than 100 local businesses and organizations that recognize the importance of transportation decisions in

shaping our city and region's future. Through persistent grassroots efforts-including rallies, press conferences, protests, and public education campaigns-we have successfully brought elected leaders on board and elevated public awareness about the consequences of expanding I-35.

5. TxDOT plans to expand I-35 to between 18 and 23 lanes - depending on location - through Austin. This project will bring an estimated 80,000 additional cars through the city each day, worsening the already dangerous levels of air pollution. Research from the Health Effects Institute has found that exposure to traffic-related air pollution increases rates of asthma, lung disease, cardiovascular disease, and premature death. With thousands of Austinites living and working near I-35, TxDOT must conduct additional air quality studies before proceeding with a project of this scale. The public deserves to understand the full extent of the health risks and potential mitigation strategies before irreversible decisions are made.

6. There has been considerable opposition to I-35 expansion from local elected leaders, much of that opposition arising from air quality concerns. In October 2023, Austin City Council passed a resolution describing the project's anticipated environmental impacts as “unacceptable” and urging TxDOT to delay construction until a full evaluation of emissions was completed. In February 2023, the Travis County Commissioners Court called upon TxDOT to study fine particulate matter (P.M. 2.5) along I-35, nitrogen oxide, and other air pollution sources, and to mitigate future air pollution. On that same occasion, Travis County Commissioner Brigid Shea said, “Particulate matter from vehicle exhausts is such a dangerous pollutant. I’m surprised that [TxDOT] didn't include that in the Environmental Impact Statement.” In 2022, 68% of surveyed candidates for Austin City Council opposed I-35 expansion; in 2024, that percentage was 81%.

7. Those living near I-35 deserve a comprehensive, independent analysis of how changes to the highway will impact air quality. The public has a right to know how expanded traffic volumes will affect pollution levels and what mitigation strategies are necessary to protect those in proximity to the corridor. National and international research consistently

demonstrates the harmful effects of highway-related air pollution, but Austin-specific studies must be prioritized before moving forward. The health and well-being of thousands of people hang in the balance, and ignoring these concerns would be irresponsible and reckless.

8. Beyond air quality, the I-35 expansion raises additional concerns about displacement, increased noise pollution, and the long-term viability of transit-friendly urban development. Decades of research have shown that expanded highways quickly fill up with more vehicles and do not provide lasting congestion relief.

9. The fight for a more informed plan for I-35 other than the one TxDOT is advancing has come at a great personal cost to many involved. Residents, business owners, and community advocates like myself have dedicated countless thousands of unpaid hours to ensuring our concerns are heard-sacrificing time with loved ones, their careers, wage earnings, and our mental well-being. Despite these sacrifices, we remain committed because the stakes are too high.

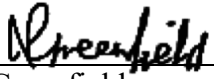
10. This is about real people. Those affected by I-35 today include families with young children, seniors, workers, and individuals with respiratory conditions. The air pollution associated with I-35 directly impacts these people at their workplaces, in their homes, in their schools, in their churches and places of worship, in their parks, and in the businesses they frequent.

11. Countless people will bear the brunt of the I-35 expansion, forced to inhale more pollution every day with no choice but to endure the worsening health consequences. Some will endure more asthma attacks, increased hospital visits, and shorter lives. It is unacceptable that the community's health is being sacrificed for a project that will bring more emissions and pollution to those already living in its shadow.

12. Rethink35 calls on TxDOT to conduct thorough, transparent, and science-based studies on the air quality and health impacts of the proposed expansion before moving forward. Transportation policy should not be driven by outdated models but by data, health considerations, and the needs of the people who live and work near this highway. Austin deserves clean air, effective mobility options, and a transportation system that prioritizes

people over traffic. These decisions will shape our city for decades, and we cannot afford to get them wrong.

I declare under penalty of perjury that the above is true and correct. Dated this 2nd day of April, 2025 at Austin, Texas.



Adam Greenfield